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ABSTRACT

Organized around the theme of conflict resolution, this booklet provides teachers and lawyers with classroom materials for elementary grades K-3 (Level A), intermediate grades 4-6 (Level B), middle school grades 6-8 (Level C), and high school grades 9-12 (Level D). In addition, each level contains pages for the lawyer (marked by the scales of justice), the teacher (an apple), and the student (a pencil). The booklet contains lesson plans, activities, a student community service survey, and an evaluation form for lawyers using the materials. The lessons and activities ask students to investigate the meaning of conflict, the sources of conflict in their lives, and the various ways conflicts might be resolved. The inside front cover provides tips for lawyers preparing classroom presentations. A poster titled "Where Do School Conflicts Happen?" is included. (TSV)

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Resolving Conflicts

SO 026 195

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YOUNG PEOPLE
BECOME GOOD CITIZENS

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When You're a Lawyer in the Classroom . . .

You may find the following tips helpful, especially if you're a novice at giving classroom presentations:

- Work with the teacher before your session. Let her or him know what you plan to do and provide background materials. Ask what the class has been studying, and integrate your session with classroom studies.

- The first few minutes of a presentation may make or break it. Get the students involved immediately—either with a startling statement that grabs their attention or a question that they can't help but want to answer.

- Talk with the students, not at them. A lecture may work for a professor in a law class, but it is not the best way to approach elementary or even secondary students.

- Work the room. Don't stand in one place; move around. Get the students involved. Encourage participation by your own enthusiasm for the topic.

- Be prepared to vary from your lesson plan a bit. When you do generate interest and enthusiasm in the students, their questions and comments may lead you away from your plan. Encourage students' input and allow digression, but look for an opening to get back on track as soon as you can.

- Talk to the students in language they can understand, but don't feel you need to talk down to them. Use some jargon, but explain what each term means. And use examples from students' experiences and analogies they can relate to.

- Know your subject. But if asked a question that you cannot answer, don't try to hide the fact from the students. Say, "That's a good question. I don't know the answer to it."

- Be in control of the classroom. Some students may try to test you. If that happens, the teacher may intervene; then again, he or she may not. Try to handle the situation yourself. Let the students know you are in control of the classroom for the time you are there.

- Don't get involved in discussion of a school controversy, especially one that pits students against the administration. Stress responsibility as well as rights when talking about the law.

- Watch the clock. No matter how interesting you may be, most students' attention will still last no longer than the normal classroom period.

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TO ORDER ADDITIONAL COPIES of booklets in this series, contact American Bar Association/YEFC at the address below, or call 312/988-5735. Use this ordering number: *I'm the People: Resolving Conflicts*, PC #497-0086. Ask about our volume-order discounts.

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How to Use This Booklet

This booklet contains lesson plans and ancillary materials on the topic of Resolving Conflicts for four different levels of students: elementary grades K–3 (Level A), intermediate grades 4–6 (Level B) middle school grades 6–8 (Level C), and high school grades 9–12 (Level D). The grade level is identified near the page number. In addition, each grade level contains pages for the lawyer (marked by the scales of justice), the teacher (an apple), and the students (a pencil). At the beginning of each level, you'll find a chart of the materials it comprises, along with photocopying instructions. You might also want to make overhead transparencies of the main activity pages (marked by all three icons).

I'M THE PEOPLE

Resolving Conflicts

Level A (Grades K–3)

I'M THE PEOPLE

This level contains the following materials:

Lawyer's Pages

Before your visit, call or meet with the teacher to choose the activities that fit the instructional objectives and are best suited to the group. Remember to ask the teacher what has already been covered in the class. Together, decide which units you will present and when. Review the materials for your lessons and make copies as indicated.

- ❑ **Lesson Plan** (pages A-4–5)
- ❑ **Conflict** (page A-6)
- ❑ **Resolve It!** (page A-7)
- ❑ **Lawyer's Evaluation Form** (page 37)

Teacher's Pages

Make one copy of each page marked with the teacher's icon and send to the teacher in a Teacher's Packet one week before the class session.

- ❑ **Conflict** (page A-6)
- ❑ **Resolve It!** (page A-7)
- ❑ **Activity Guide** (page A-8)
  Overview of the Lesson
  Activity Sheet/Answer Keys
  Extension Activities (Bulletin Board, Collage, Exploring Books)
- ❑ **Bibliography** (page 36)
- ❑ **Law-Related Education Essentials Matrix** (page 38)

Student's Pages

Make copies of the pages marked with the student icon for each student in class and distribute as part of a Student Packet.

- ❑ **Conflict** (page A-6)
- ❑ **Resolve It!** (pages A-7)
- ❑ **Activity Sheet** (page A-9)

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Lesson Plan

Objectives

During your session, students will—

- ✓ recognize and understand conflict
- ✓ differentiate between conflict and breaking rules
- ✓ identify conflicts in their lives
- ✓ watch or act out a negotiation to resolve a conflict
- ✓ watch or act out a mediation

Vocabulary

As these terms come up in discussion, list them on the board and elicit definitions from students. Help the class define the terms if necessary. Some of these terms appear on the Activity Sheet in the Student Packet, which students may complete after your visit.

communication
conflict
resolve/work out
negotiate
mediate
interest

Lesson Overview

This lesson helps children understand conflict and introduces ways of resolving conflicts. Students will discuss options for resolving a conflict and will observe or participate in a simulated mediation.

Unit One—Conflict
Time Needed: 1 class period
Materials Needed: soft plastic ball, whistle, overhead transparencies, Conflict Handout

Procedure

1. Introduce yourself to the students. Begin by telling them that you need three volunteers for a skit. While you are giving directions to the volunteers, have the rest of the class slide the desks to the sides of the room and position themselves along the walls, leaving the center open.

Take the three volunteers into the hall and explain the skit. Tell the volunteers that in this skit, two students will play catch with a soft plastic ball. Then a bully, played by a third student, will try to take away the ball, and the three will get into a fight. Play will start when you blow the whistle, and it will stop when you blow the whistle again. Tell the third student—the bully—to interfere in the game by trying to take away the ball. Have the bully stay in the hall until the two players have had a minute or two to toss and catch the ball. Then the bully is to rush in and disrupt the game. The three will start to fight.

To begin the skit, return to the classroom and blow the whistle to start the game. Have the rest of the class watch from the sides of the classroom and cheer. Let the players toss the ball back and forth several times. Have the bully rush in from the hallway. Once the bully disrupts the game or seizes the ball and the argument or fight begins, blow the whistle to stop.

Ask the student spectators to tell what they think just happened. Encourage everyone to respond. Give students a few minutes to discuss the situation and return to their desks.

2. Point out to the class that a conflict, that is, an argument or a fight, occurred in the skit. Conflicts can happen when people want different things.

On an overhead transparency, have students help you list what the players wanted in one column and what the bully wanted in another column. For example, the two players might have wanted to play catch by themselves because they were good friends, because they wanted to practice for a team tryout, because they were already on a team and wanted additional practice before a game, or for other reasons. Elicit other reasons from the students. In the second column, the bully's reasons for interfering might include wanting to play with the other two, wanting to be liked by them, wanting their attention, and so on.

Point out that the two lists do not have anything in common. The players and the bully wanted different things, which is why there was a conflict.

3. Write the following headings on the chalkboard:

Conflict

Who? What? Why?

Tell students that two children named Rob and Sara arrived home from school. Both children rushed into the kitchen for a snack. Rob spied the cake just as Sara reached for it. There was only one piece of cake and Rob took it away from Sara. The two children began to fight over the piece of cake. Point to the chart on the board and ask: Who was involved in the conflict? (Rob, Sara) What is the conflict? (who gets the cake) Why are they having the conflict? (Rob wants a snack, Sara wants a snack, both are hungry, both want the same snack; accept all reasonable responses.)

4. Distribute the "Conflict" handout and ask students to read the titles with you. Then let students work with partners to identify and list experiences they have had where a conflict was involved.

5. Point out that some conflicts arise over rules set up by parents or other authorities, but that such rules have been established in order to keep one safe, and following the rules is necessary. For example, you are told that you must not ride your bike in the street. A parent or guardian has set up this rule to keep you safe. In this situation, you may dislike the rule, but the parent or guardian has made the rule believing that you may be harmed if the rule is not followed. So, following the rule is more important than your wants or needs.

6. Display the poster and ask students to read the title. Then point to each

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Lesson Plan

small picture and ask volunteers to tell about each place. Ask students what kinds of conflict could occur in that area and whether they ever encountered a conflict in that area of the school.
7. Conclude the class by explaining that there are different ways of resolving conflicts and that students will be learning about them in the next units.

Unit Two—Negotiation
Time Needed: 1 class period
Materials Needed: chalkboard, chalk

Procedure
1. Review the example about Rob and Sara and the argument over the snack. Ask students to tell how they think the two children should resolve the conflict. Write the possible resolutions on the chalkboard. The list should include things such as sharing the piece of cake, each taking another snack, or letting one person have the cake while the other chooses another snack. Explain that these ways of solving the problem are called negotiation. Point out that negotiation is a way in which two people (sometimes more than two) can discuss a conflict, or difference, in order to find ways to solve the conflict, and that negotiation does not involve anyone outside the conflict. The conflict is resolved when the people reach a mutual agreement, one that both people like. Explain that reaching an agreement will probably involve compromising, which means that each person will have to give up something that he or she wants. In exchange for giving up something each wants, they have an agreement that is pleasing to both sides. Explain that there may be many different solutions to a problem. In a negotiation, it is necessary to find only one solution that both people agree to in order to resolve the dispute.
2. Point out there are some steps that help get a conflict resolved by negotiation. Write each step on the board, talk about the process, and answer any questions. Point out that communication is a key ingredient in resolving any conflict. When people communicate, they not only talk to each other, they also listen to each other.

Rules of Negotiation
- Decide who will speak first.
- Have each person calmly give his or her opinion about what happened and tell what he or she wants.
- Listen to the other person without interruption.
- Have each person tell what he or she is willing to do to come to an agreement both people can accept.

3. Emphasize that listening carefully is very important in negotiating in order to understand someone else's point of view. Play the whispering game: Whisper a message to one student and tell him or her to pass it on. This activity will show students that meanings can be changed when we don't listen carefully.
4. Tell students that they are going to continue the skit about the two ball players and the bully and that you would like three different volunteers. This time the actors will stand in front of the class and try to negotiate an agreement among themselves without any outside help. They will follow the rules of negotiation. To refresh their memory, review what happened during the game. Ask the actors what the conflict was about, who was on the different sides of the conflict, and what each side wanted. Allow the volunteers to collect their thoughts for a few minutes, and then let them begin. Do not interrupt. Stop the skit when they come to an agreement or after five to 10 minutes if they do not come to an agreement.
5. After the skit, involve the rest of the class in the critique. Ask the class whether the actors reached an agreement and, if so, what it was. Ask whether the actors followed the rules of negotiation. If not, which rules did they break? Ask the class whether they feel that the actors could have reached an agreement if they had not broken the rules.
6. As a conclusion to the unit, ask students the following questions:
a. What is negotiation?
b. How many people are involved in negotiation?
c. When do we need to negotiate?
d. What is a conflict?
e. What are some negotiation rules?

Unit Three—Mediation
Time Needed: 1 class period
Materials Needed: Resolve It! Handout

Procedure
1. Point out to students that the best way to resolve a conflict is for the people involved to work it out on their own. Explain that sometimes people are not able to resolve a conflict by negotiating. If one person is unwilling to give up something to reach an agreement, then they should seek help from an adult. Mediation is resolving conflicts with a third person who acts as a mediator.
2. Tell students that today they will act out the last part of the skit about the two ball players and the bully. Select three different volunteers. Point out that this time you will be part of the skit and act as the mediator.

Review with students what happened in the skit the first two times. Start the last skit by telling them that the players and bully did not come to an agreement but came to you instead for help.

Have the players and the bully tell you their side of the story and what they want. Have them tell you what they are willing to do to resolve the problem. Repeat what they say to make sure you understand it. Then you, the mediator, will arrive at a decision.
3. At the end of the skit, ask the class to review the steps in using a mediator. Point out that the mediator listens to both sides and encourages each person to tell his or her side of the conflict, helps the people try to solve their conflict, and then reaches a solution that everyone can agree with.
4. Distribute the "Resolve It!" handout and have students tell how they think each conflict should be resolved. Students can also take turns role-playing the scenes and use negotiation or mediation to solve the conflict.

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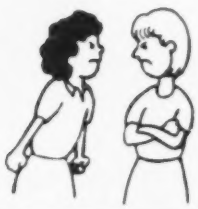
Conflict

Complete the chart with a friend. Use words or pictures to tell about each conflict.

	Who? (Who has a problem?)	What? (What is the problem?)	Why? (Why are the people having the problem?)
Example 1 			
Example 2			
Example 3			
Example 4			

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Resolve It!

Read the examples. Tell how you would solve the conflict.

1. Joe pushes into Sam to get ahead in a line.

_____

_____

2. Randy and Rita both want the same swing on the playground swingset.

_____

_____

3. Lavonne grabs the jump rope from Sandra and won't let Sandra and her friends play with it.

_____

_____

4. Several boys ride their bikes on the playground where others are trying to play baseball.

_____

_____

5. José tries to keep everyone off the jungle gym and gets into a fight with his friends.

_____

_____

6. Jackie and Rajan both want to have the next turn to get a sandwich at the picnic.

_____

_____

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OVERVIEW OF THE LESSON

Objectives

During the lawyer's class session, students will—

- ✓ recognize and understand conflict
- ✓ differentiate between conflict and breaking rules
- ✓ identify conflicts in their lives
- ✓ watch or act out a negotiation to resolve a conflict
- ✓ watch or act out a mediation

Lesson Summary

In the class sessions conducted by your lawyer, students first watch or participate in a skit to understand the meaning of conflict. The same skit continues in Units Two and Three, in which students learn the meanings and applications of negotiation and mediation.

Following your lawyer's visits, you might have students make a bulletin board or collages on the theme of mediation. You might also talk to them about whether they preferred negotiating or mediating. These extension activities are explained in greater detail below. Share students' work with your lawyer partner, and together plan partnering activities to use in upcoming civics instruction.

PORTFOLIO ASSESSMENT

As the units are completed, students may begin making "Resolving Conflicts" portfolios. Have them place their activity sheets and any other work they did during the units in their portfolios. You may encourage students to create pictures and stories about conflict, negotiation, and mediation. Suggest that they review their work and evaluate their understanding of conflict, negotiation, and mediation as they progress through the units.

HOME CONNECTION

Have students make a list of common conflicts they encounter in and out of school. Ask them to take the list home and discuss with a parent or guardian various ways to resolve the conflicts.

ACTIVITY SHEET/ANSWER KEYS

In the Student Packet is an Activity Sheet with two activities that ask students to work with key concepts and vocabulary terms from the lesson. Students may use the activities to strengthen their concept and vocabulary knowledge after your lawyer's visits. The correct answers to the activities follow:

What Are They Doing?

1. Conflict
2. Negotiating
3. Mediating

Word Scramble

4. conflict
5. interest
6. negotiate
7. resolve
8. mediate

EXTENSION ACTIVITIES

Bulletin Board: Discuss mediation with students. Have them draw or paint a picture illustrating people who are mediating. Invite students to share their pictures with the class, and have them explain how their artwork relates to mediating. Arrange the pictures on a bulletin board titled "Mediating."

Collage: Have students collect magazine pictures that show conflict and paste them on paper to create a collage. Then ask students to collect and paste magazine pictures that show mediators—judges, umpires, teachers, parents, and principals. Invite volunteers to show their collages and tell about the content.

Exploring Books: Choose one of the books listed in the bibliography on page 36 or any other selection about conflicts and read the selection together with the class. Discuss the conflict and the resolution in the selection. Have students retell the conflict and the resolution in their own words. Encourage them to draw a picture to help them retell the information.

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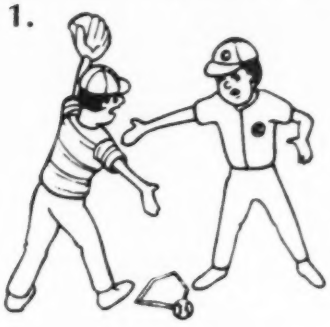
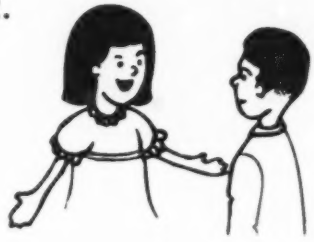
What Are They Doing?

Look at the pictures. Tell or write what the people are doing in each picture.

1. 

2. 

3.

Word Scramble

Unscramble the words. Then write their letters in the blanks to finish the sentences.

Word List				
interest	mediate	negotiate	conflict	resolve

4. t c n f l i c o

In a _ _ _ _ _ _ _ _ _, people disagree.

5. t s e r i e n t

A conflict of _ _ _ _ _ _ _ _ _ means that people want different things.

6. g e o t n t i e a

Two or more people _ _ _ _ _ _ _ _ _ to try to agree.

7. v o s e r e l

Negotiation helps people _ _ _ _ _ _ _ conflicts.

8. d e t i a m e

A third person helps people _ _ _ _ _ _ _ a solution.

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Resolving Conflicts

Level B (Grades 4–6)

This level contains the following materials:

Lawyer's Pages

Before your visit, call or meet with the teacher to choose the activities that fit the instructional objectives and are best suited to the group. Remember to ask the teacher what has already been covered in the class. Together, decide which units you will present and when. Review the materials for your lessons and make copies as indicated.

- ❑ **Lesson Plan** (pages B-11–12)
- ❑ **Conflict Chart** (page B-13)
- ❑ **Rules for Mediators** (page B-14)
- ❑ **Lawyer's Evaluation Form** (page 37)

Teacher's Pages

Make one copy of each page marked with the teacher's icon and send to the teacher in a Teacher's Packet one week before the class session.

- ❑ **Conflict Chart** (page B-13)
- ❑ **Rules for Mediators** (page B-14)
- ❑ **Activity Guide** (page B-15)
  Overview of the Lesson
  Activity Sheet/Answer Keys
  Extension Activities (Bulletin Board, Role-Play, Book Reviews)
- ❑ **Bibliography** (page 36)
- ❑ **Law-Related Education Essentials Matrix** (page 38)

Student's Pages

Make copies of the pages marked with the student icon for each student in class and distribute as part of a Student Packet.

- ❑ **Conflict Chart** (page B-13)
- ❑ **Rules for Mediators** (pages B-14)
- ❑ **Activity Sheet** (page B-16)

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Lesson Plan

Objectives

During your session, students will—

- ✓ differentiate between conflicts and breaking rules
- ✓ identify different conflicts in their lives
- ✓ practice negotiating to resolve conflicts
- ✓ watch or act out a mediation

Vocabulary

As the following words come up in discussion, list them on the board and elicit definitions from students. Help the class define the terms, if necessary. Some of these terms appear on the Activity Sheet in the Student Packet, which will be distributed after your visit.

agreement
communication
compromise
conflict
interest
negotiate
mediate
resolve/work out

Lesson Overview

This lesson helps students understand conflict and introduces ways of resolving conflicts. Students will discuss options for resolving a conflict and will observe or participate in a simulated mediation.

Unit One—Conflict

Time Needed: 1 class period
Materials Needed: Conflict Chart Handout, chalkboard, chalk

Procedure

1. Introduce yourself to the students. Write the words *fight, struggle, disagreement, battle, quarrel,* and *dispute* on the chalkboard. Ask students to define each word and use the word in a sentence. Point out that all these words have meanings similar to that of the word *conflict.* Tell students that they are going to discuss the meaning of *conflict* and the different types of conflicts that can be encountered in the world today. Point out that a conflict is an argument, disagreement, fight, or difference of opinion.

Introduce the term *interest* with the following example: Jane and Juanita have one orange between them. Because they both want the orange, they split it in half. Jane eats the orange sections and throws away the orange peel. Juanita uses the orange peel as a flavoring for her cookies and throws away the orange sections. What was Jane's interest in the orange? (Jane wanted the orange sections to eat.) What was Juanita's interest in the orange? (Juanita wanted the orange peel for making cookies.) Explain that in a conflict the two sides (persons or groups) each have a particular interest. That is, each side wants something different.

2. On the chalkboard, make column headings for international, national, state, local, personal, and cultural conflicts. Ask the class to name conflicts that fit into each category and list them on the board.

Distribute the "Conflict Chart" handout. Ask a student to choose one of the international conflicts from the list on the chalkboard. Tell students to write that conflict in the appropriate place on their chart. Let students give their opinions as to what each side in the conflict is interested in or wants to gain. Students may need some help in determining the interests of each side. Help them understand the conflicts by showing that each side has different goals, needs, or wants.

3. After the list is completed, clarify that the type of conflicts students have been discussing involves conflicts between people with different interests and does not include breaking rules or laws. Point out that rules or laws are established by parents, schools, or local, state, or national authorities for everyone's protection. Conflicts that arise over rules or laws are often solved in court. Explain that the conflicts discussed in this section are the kinds of problems that develop between people with different interests.

4. Display the poster and have students identify the areas shown where conflicts may arise. Ask students what types of conflicts may occur in each area. Have them give examples of actual situations in which conflicts arose, based on their experiences.

Unit Two—Negotiation

Time Needed: 1 class period
Materials Needed: chalkboard, chalk

Procedure

1. Begin by explaining that negotiation is a way in which two or more people can discuss a conflict or a difference in order to find ways to solve the conflict. A negotiation does not involve anyone outside the conflict. The conflict is resolved when the people negotiate, or reach, a mutual agreement, that is, one that both people like. Explain that reaching an agreement will probably involve a compromise. Point out that the word *compromise* means that each person will have to give up something that he or she wants in order to resolve the conflict. In exchange for each one's giving up something, the people reach an agreement that is pleasing to both sides. Explain that there may be many different solutions to a problem. In a negotiation it is only necessary to find one solution that both people agree to in order to resolve the dispute.

2. Discuss the method for negotiating by reviewing the following points and asking students to give examples of how the process works. Write each rule on the chalkboard as it is discussed.

a. Decide who will speak first (for example, by alphabetical order).

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b. Have each person calmly give her or his opinion about what happened and tell what she or he wants.
c. Listen to the other person without interruption.
d. Have each person tell what he or she is willing to do to come to an agreement.
3. Emphasize that listening is very important in negotiating. It is important to listen carefully so that each side can understand the other's point of view. Explain that communication is the key to resolving conflicts. Each party must tell what he or she thinks and feels about the conflict and listen to the thoughts and feelings of the other party.
4. Tell students following conflict scenario: The Music Club wants to meet in Room 201 on Tuesdays after school. The Computer Club also wants to meet in that room on that day. The two groups decide to try to negotiate an agreement. Divide the class into two groups. One group is to act as the members of the Music Club, the other group as the members of the Computer Club.

Remind students that they must follow the rules of negotiation. Give each group time to formulate its views and choose a spokesperson. Then have the two spokespersons try to negotiate an agreement to resolve the problem.
5. After the negotiation, involve the entire class in the critique. Ask whether an agreement was reached, and if so, what it was. Ask whether the spokespersons followed the rules of negotiation. If not, which rules did they break? Ask students whether they feel that the spokespersons could have reached an agreement if they had not broken the rules.
6. As a conclusion to the unit, ask students the following questions:
a. What is negotiation?
b. How many people are needed to negotiate?
c. When do we need to negotiate?
d. What are some negotiation rules?
e. What is a conflict?

Unit Three—Mediation
Time Needed: 1 class period
Materials Needed: Rules for Mediators Handout

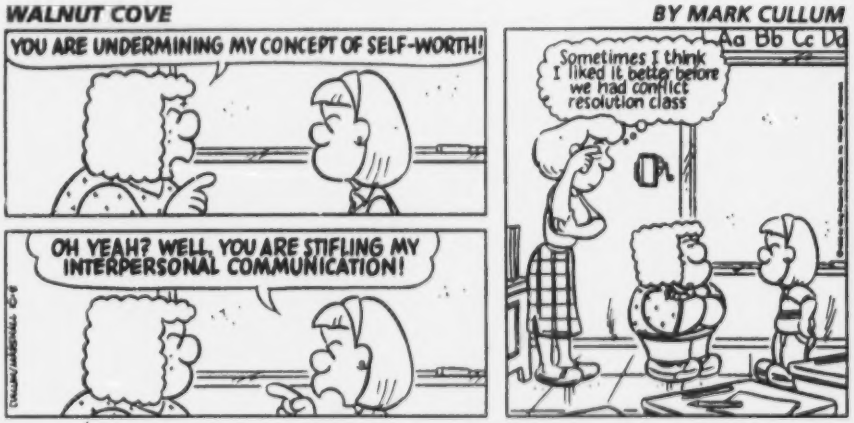
Procedure
1. Explain that sometimes students will not be able to resolve a conflict by negotiating. Tell them that it is best for people to resolve a conflict on their own, but sometimes it is necessary to have a third person help. If one of the people or one side in the conflict is not willing to give up something to reach an agreement, then the two parties should seek help from a neutral person. *Mediation* is resolving conflicts with the help of a third person, called a *mediator,* who acts on behalf of both parties. Each person explains his or her view to the mediator, and the mediator helps the people reach an agreement.
2. Point out that there are also rules for mediators to use in a mediation. Distribute the "Rules for Mediators" handout. Go over each rule with the students and discuss what each means. Students can give explanations or use examples to help the group understand the rules.
3. Tell students that you will need two volunteers for a skit. Explain that you will act as the school principal.

Present this scenario: Two good friends, Leong and Chris, share a school locker. Leong keeps leaving the locker unlocked, and Chris is very messy. They get into a fight when someone steals Chris's jacket and when fruit juice is spilled on Leong's homework.

The principal stops the fight and asks what the problem is. Because the boys cannot peacefully negotiate an agreement, the principal asks whether they would like a mediation. They both agree to the mediation and to having the principal act as mediator.

Leong says he wants Chris to stop keeping open bottles of juice in the locker and in return he will be sure to lock it. Chris wants Leong to always lock the locker, but he also wants to keep juice there so that he can have some between classes.

The principal (mediator) asks Chris what he would be willing to do to solve the problem. Chris says he could put his fruit juice in a screw-top bottle. Leong agrees to this idea.
4. At the end of the skit, ask whether everyone followed the rules for mediators. If not, which rules were not followed? What might have happened if the boys had not agreed to a solution?
5. As a conclusion to the unit, ask the class who is a mediator. Answers may vary. Responses should include the idea that anyone can act as a mediator to help resolve a conflict.


WALNUT COVE
BY MARK CULLUM
YOU ARE UNDERMINING MY CONCEPT OF SELF-WORTH!
OH YEAH? WELL, YOU ARE STIFLING MY INTERPERSONAL COMMUNICATION!
Aa Bb Cc Dd
Sometimes I think I liked it better before we had conflict resolution class

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Conflict Chart

Conflict	Side A's Interests	Side B's Interests
International:		
National:		
State:		
Local:		
Personal:		
Cultural:		

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Rules for Mediators

1. Decide who will speak first (for example, by alphabetical order).
2. Have each person calmly give her or his opinion about what happened.
3. The mediator and the other people listen to the person who is talking, without interruption. The mediator does not take sides.
4. To understand the situation, the mediator politely asks questions such as:

   Do you know each other?

   How long have you known each other?

   Do you live close together?

   Do you come to school together?

   Do you sit together at lunch?

   Do you play together at recess?

   Have you been or are you in the same class?

   How did you feel when this happened?
5. The mediator restates each person's view, "So you feel like . . . ."
6. The mediator asks and records each person's response to "What would you like to do to solve this problem?"
7. The mediator reads aloud what each party is willing to do to solve the problem.
8. The mediator adds or changes options until all agree on what they will do to solve this problem.

Write a brief description of a conflict and tell how a mediator could help resolve the conflict.

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Activity Guide

OVERVIEW OF THE LESSON

Objectives

During the lawyer's class session, students will—

- ✓ differentiate between conflict and breaking rules
- ✓ identify different conflicts in their lives
- ✓ practice negotiating to resolve conflicts
- ✓ watch or act out a mediation

Lesson Summary

The Unit One class session focuses on understanding the meaning of the word *conflict* and the different types of conflicts in the world, including international, national, state, local, personal, and cultural. In Unit Two, students learn about negotiation, the rules of negotiation, and listening. In Unit Three, students learn about mediation and rules for mediators.

You might ask students to talk about past conflicts they resolved and how they did it. They might also like to talk about the times they were unable to resolve conflicts and what they would do now that they have studied the subject. Share students' work with your lawyer, and make plans to include her or him as a participant in your civics instruction throughout the year.

PORTFOLIO ASSESSMENT

As the units are completed, students may begin making "Resolving Conflicts" portfolios. Have them place their activity sheets and any other work they did during the units in their portfolios. You may encourage students to create pictures and stories about conflict, negotiation, and mediation. Suggest that they review their work and evaluate their understanding of conflict, negotiation, and mediation as they progress through the units.

HOME CONNECTION

Discuss with students the kinds of conflicts that people their age have encountered. Compile a list of problems on the chalkboard as topics are suggested. Have students record topics of interest to them on a sheet of paper. Then have them take their list home and discuss with various family members ways of resolving these conflicts.

ACTIVITY SHEET/ANSWER KEYS

In the Student Packet is an Activity Sheet. Students may use the Word Puzzle exercise to strengthen vocabulary related to conflicts, negotiation, and mediation after your lawyer's visits.

Word Puzzle

Across	Down
2. resolve	**5.** compromise
4. conflict	**6.** mediate
6. agreement	**7.** negotiate
7. communication	

EXTENSION ACTIVITIES

Bulletin Board: Choose some examples of conflicts from the "Conflict Chart" handout and have students put a description of these conflicts on the bulletin board. Have them watch the newspapers for articles that refer to these conflicts and then add the articles to the display.

Role-Play: Have students work in small groups to identify situations they have encountered in which a conflict arose. Ask each group to present one of the situations to the class. Have the class members tell how negotiation or mediation might be used to resolve the conflict. Encourage volunteers to work with the group presenting the conflict to show how it can be resolved. Ask students to note whether the rules for negotiation or the rules for mediators were followed.

Book Reviews: Have students gather books they have read that include conflicts, or suggest books from the bibliography on page 36. Ask a volunteer to tell about a book, its characters, and the conflict. Then encourage the class to provide possible resolutions, using negotiation or mediation. After the discussion, have the student tell how the conflict was resolved in the book.

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Word Puzzle

Read each clue. Then choose a word from the list to complete the crossword puzzle.

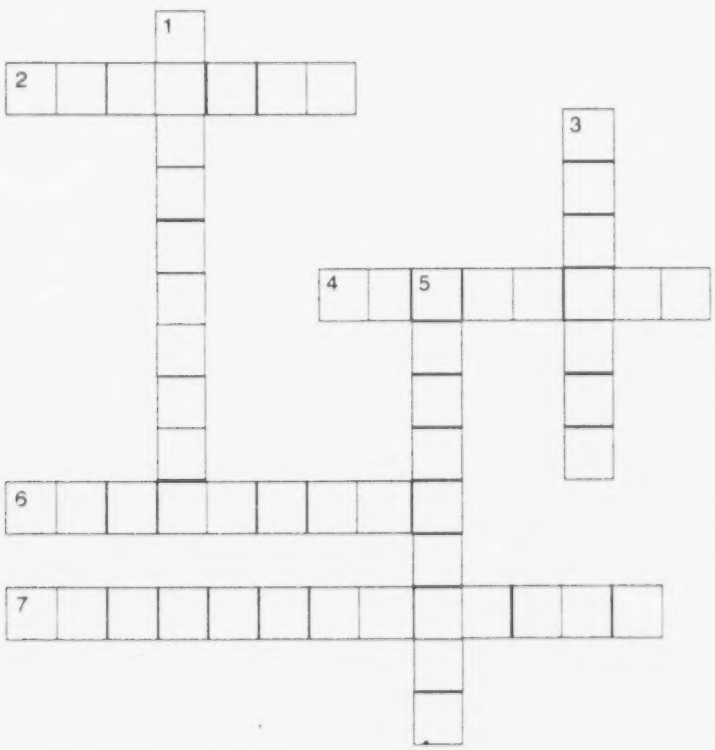
compromise	negotiate	mediate	resolve
agreement	conflict	communication	

ACROSS

2. to work out a conflict
4. argument, fight, disagreement
6. harmony of opinion, action, or character
7. process of talking and listening to gain information

DOWN

1. to settle differences by giving up something in order to reach an agreement
3. to have a third party help two parties resolve a problem
5. to talk to each other to reach an agreement in a conflict



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Resolving Conflicts

Level C (Grades 6–8)

This level contains the following materials:

Lawyer's Pages

Before your visit, call or meet with the teacher to choose the activities that fit the instructional objectives and are best suited to the group. Remember to ask the teacher what has already been covered in the class. Together, decide which units you will present and when. Review the materials for your lessons and make copies as indicated.

- ❑ **Lesson Plan** (pages C-18–19)
- ❑ **Conflicts** (page C-20)
- ❑ **Negotiation** (page C-21)
- ❑ **Mediation** (page C-22)
- ❑ **Lawyer's Evaluation Form** (page 37)

Teacher's Pages

Make one copy of each page marked with the teacher's icon and send to the teacher in a Teacher's Packet one week before the class session.

- ❑ **Conflicts** (page C-20)
- ❑ **Negotiation** (page C-21)
- ❑ **Mediation** (page C-22)
- ❑ **Activity Guide** (page C-23)
  - Overview of the Lesson
  - Activity Sheet/Answer Keys
  - Extension Activities (Conflict Resolution Posters, Story Conflicts)
- ❑ **Bibliography** (page 36)
- ❑ **Law-Related Education Essentials Matrix** (page 38)

Student's Pages

Make copies of the pages marked with the student icon for each student in class and distribute as part of a Student Packet.

- ❑ **Conflicts** (page C-20)
- ❑ **Negotiation** (page C-21)
- ❑ **Mediation** (page C-22)
- ❑ **Activity Sheet** (page C-24)

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Lesson Plan

Objectives

During your session, students will—

- ✓ identify and define *conflict*
- ✓ use negotiation and mediation to resolve conflicts
- ✓ develop communication skills through listening and asking questions of the participants
- ✓ develop cooperative learning skills
- ✓ gain an appreciation for solving their own problems

Vocabulary

As the following terms come up in the discussion, list them on the board and elicit definitions from students. Help the class define the terms, if necessary. Some of these terms appear on the Activity Sheet in the Student Packet, which students may complete after your visit.

communication
conflict
disputants
dispute
mediation
mediator
negotiation
negotiator
resolution

Lesson Overview

The goal of these lessons is for students to identify what constitutes a conflict and to develop a working knowledge of various conflict resolution theories. The lesson will include role-playing to set up situations in which conflicts must be resolved. The class will work in groups to resolve the conflicts and evaluate the techniques used for conflict resolution.

Unit One—What Is Conflict?
Time Needed: 1–2 class periods
Materials Needed: *Charlotte's Web* by E. B. White, Conflicts Handout, newspapers and news magazines

Procedure

1. Write the title *Charlotte's Web* on the board. If students are familiar with the book, ask them to describe the main characters and summarize the key events in the story. Otherwise, do so yourself. Point out that the farm animals hear that the farmer, Mr. Zuckerman, has decided that Wilbur, the pig, is to be killed for Christmas dinner and that Wilbur's friends want to save him. Explain that Charlotte, the spider, is particularly opposed to Mr. Zuckerman's plan. Ask the class to brainstorm ways in which Wilbur's fate might be changed. For example, Charlotte and Mr. Zuckerman could sit down together and work out a compromise about Wilbur, or another person could help them resolve the problem.

2. Distribute copies of the handout "Conflicts." Have students read the opening paragraph and the information under "Sources of Conflicts." On the board, write the sources of conflict mentioned in the handout as each is discussed—limited resources, values. Encourage students to offer additional examples of conflicts that can arise from each source. After students read the section "Responses to Conflicts," list each type of conflict response on the board—avoidance, confrontation, mutual understanding. Again, encourage students to give other examples of conflicts that triggered these responses. Make sure that students understand the terms. Then have them use the discussion questions at the bottom of the handout as a review. Allow students to work independently to write answers to the questions.

3. Divide the class into small groups. Explain to students that they will be looking in newspapers or news magazines for articles that report a dispute or conflict. Write the following questions on the board for students to use in gathering information as they identify conflicts in the periodicals:

a. Who are the parties in the dispute or conflict?
b. What is the conflict about?
c. When did the conflict take place?
d. Where did the conflict take place?
e. What facts do you need to better understand the conflict?
f. Why did the conflict take place?

Distribute a newspaper or news magazine to each group. (Students might bring in current periodicals, or you might collect a variety of newspapers and news magazines over a period of time.) Tell each group to look through the papers or magazines and locate examples of news that centers around disputes or conflicts, choose a report of one conflict, and write the answers to the questions on the board. Then let the groups report their answers to the class.

4. Display the poster and let students identify areas in and around school where conflicts may occur. Then ask volunteers to give examples from their own school experiences about conflicts they have encountered.

Unit Two—What Is Negotiation?
Time Needed: 1–2 class periods
Materials Needed: Negotiation Handout

Procedure

1. Review the information about conflicts from the previous unit. Review the idea of resolving conflicts through mutual understanding. Write the word *negotiation* on the board. Distribute the "Negotiation" handout and let students read the information on it. Make a list of the negotiation steps on the board:

Step 1: Disputants set some ground rules.
Step 1: Disputants gather information.
Step 2: Disputants suggest how to resolve the conflict.
Step 3: Disputants develop win-win situations.
Step 4: Disputants evaluate proposals.

Ask students to tell about occasions when they have used negotiation to resolve a conflict. Make a list of the conflicts they mention on the board.

2. Have students work in pairs. Ask each pair to select a conflict from those generated and listed on the board in this unit and in the previous unit. Then have the pairs follow the negotiation steps to arrive at a resolution for their chosen

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Lesson Plan

conflict. Remind students to use the handout as a guide. Have each pair write a brief description of their resolution and provide a method to make sure that the agreement is enforced. Then, with students assembled as one group, ask each pair of students to tell how they negotiated a resolution to their conflict. After all the pairs have presented their information, have them evaluate their use of the conflict resolution technique, using this list of questions:

- Did you cooperate with each other?
- Did you set ground rules that you then followed?
- Did you listen effectively?
- Did you trust each other?
- Did you both participate in developing a solution?
- Was the outcome fair to both of you?

3. Write the word *communication* on the board. Ask students to define the term and confirm their definitions in a dictionary. Point out that communication involves both speaking to express one's own point of view and listening to hear someone else's viewpoint.

Unit Three—Applying Negotiation and Mediation
Time Needed: 1–2 class periods
Materials Needed: Mediation and Negotiation Handouts

Procedure

1. Review the steps used in negotiation, which should still be listed on the board from Unit 2. Then distribute the "Mediation" handout and let students read the information on it. Make a list of the mediation steps on the board:
Step 1: Mediator sets some ground rules.
Step 2: Mediator gathers information from disputants.
Step 3: Mediator asks for disputants' solutions to conflict.
Step 4: Mediator and disputants develop win-win situations.
Step 5: Disputants evaluate proposals.
Ask students to compare the two sets of steps. Help them recognize that the two conflict resolution techniques are very similar and that the main difference between negotiation and mediation is the involvement of a third party, or mediator, in mediation.

2. Have students form six groups, using the following system:
Group 1 Negotiation: Disputants A vs. B, Observers
Group 2 Negotiation: Disputants C vs. D, Observers
Group 3 Negotiation: Disputants E vs. F, Observers
Group 4 Mediation: Disputants G vs. H, Mediator, Observers
Group 5 Mediation: Disputants I vs. J, Mediator, Observers
Group 6 Mediation: Disputants K vs. L, Mediator, Observers
After students have formed the groups, give the following instructions and allow students time to understand their roles:
a. All students should reread the information about negotiation and mediation techniques on the handouts.
b. Assign two students in each group to act as disputants. The disputants should role-play a conflict, using one from the lists compiled earlier on the board or one of their own choosing.
c. In the mediation groups, assign a mediator.
d. The remaining students in each group will act as observers and evaluators.

3. Have the disputants in each group perform their role-play. Once the role-play is completed, do not let students ask questions. Rather, explain to them that they should concentrate on developing a plan to use the conflict resolution theory they have been assigned for the purpose of resolving the conflict. Remind students that they must resolve the conflict. For all groups, this means that some type of verbal/written agreement acceptable to both disputants must be reached.

4. Have the observers in the negotiation groups use the following questions to evaluate the negotiations:

- Did the negotiators cooperate with each other?
- Did the negotiators set ground rules that were followed?
- Did the negotiators listen effectively?
- Did the negotiators trust each other?
- Did the negotiators both participate in developing a solution?
- Was the outcome of the negotiation fair to both disputants?

Observers in the mediation groups should use these questions to evaluate the mediations:

- Did the disputants cooperate with each other?
- Did the mediator set ground rules that were followed?
- Did the mediator listen effectively?
- Did the mediator restate the disputants' positions correctly?
- Did the disputants trust the mediator?
- Did the disputants both participate in developing a solution?
- Did the mediator act in an impartial manner?
- Was the outcome of the mediation fair to both disputants?

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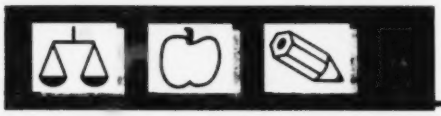

Conflicts can lead to negative outcomes when people do not understand the sources of conflicts or how to deal with them productively. Properly understanding and handling conflicts can lead to a win-win situation in which the disputants better understand and perceive the problem. Only when ideas are challenged do we learn and grow. But how do we resolve conflicts in a positive manner? First, we must understand why they occur.

Sources of Conflicts

Take a moment and ask yourself why you might argue with another person. You may recall times when you wanted a possession someone else had or when somebody wanted something you had. This type of conflict exists because of limited resources. You cannot have everything you want. This source of conflict is fairly easy to resolve, since most people understand the rights and responsibilities that go with owning property.

The more difficult type of conflict occurs when people fight over values. For example, a friend lies to you or cheats in a game. This is a more difficult conflict to resolve because you are questioning someone's values or the way he or she thinks about the world. The people involved in a value conflict may feel that they have been personally attacked. It is easy to see how a negative outcome may result because both sides become defensive.

Responses to Conflicts

Your response to conflict determines whether the conflict will be positively resolved. Some people avoid conflict. If you are the type of person who resolves conflict by avoiding it, the other people involved in the conflict probably do not acknowledge your feelings and rights. The result is that the conflict is avoided, but you suffer.

Another response to conflict that leads to a negative result is the opposite of avoidance—confrontation. Confrontation usually involves threats and tension. When a person resolves a conflict by confrontation, she or he demands that the other person "give in," resulting in permanent damage to any relationship the two might have had. Moreover, this solution can lead to violence when both parties have made the conflict a matter of pride.

A third response to conflicts leads to a positive solution. Mutual understanding of the participants' needs and desires can successfully resolve conflicts. Everyone can win when people develop communication skills that allow both sides to fully understand the problem. The people involved in the conflict must empathize with the other parties. In other words, they must step inside the shoes of the other to appreciate the different interests. Only then can a solution be developed in which all parties feel they have achieved something. The avoidance and confrontation approaches do the opposite in that they benefit only one party in the conflict.

Discussion Questions

1. How do you define a conflict?
2. Have you ever had a conflict over a value? Describe it. How did you resolve it? Are you now happy with that resolution?
3. Is it realistic to think people can "step into the shoes" of another person?

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Negotiation

When parties negotiate, they communicate directly with one another without the aid of a third party to facilitate communication. The disputants solve their own problems. This gives both parties more freedom and power. They have learned to develop solutions in which both parties win. The key to effective negotiation is communication. Communication goes beyond telling one's story. It involves listening and empathizing with the other party. Negotiators must be objective or they cannot obtain a win-win situation.

Negotiation Steps

Step 1: The first step to an effective negotiation is to set some ground rules. Each disputant must understand that he or she is working toward a win-win situation and therefore must cooperate. Another ground rule is an agreement to take turns listening and talking. Please note that any rule established should be agreed to by both parties and made in the interest of cooperation and fairness.

Step 2: Next, the participants must gather information. This can be done by simply allowing each participant to explain her or his view of the situation. After each participant has told his or her side of the story, the other party should repeat the facts to be sure he or she understands them. By repeating what each person has stated, the parties hear how the other side perceives the situation. Remember, a positive outcome to a conflict requires each party to understand the other's interests and needs. It is important to ask follow-up questions such as "How did you feel?" or "Why did you do that?" Clarifying questions is always helpful.

Step 3: The negotiators' job is not yet done. They must ask each other how they would resolve the conflict and why they believe their solutions are effective in meeting their needs. Again, both disputants must alternate between talking and listening. Both parties' views are essential for an effective negotiation.

Step 4: The next step is to develop win-win solutions. The participants must brainstorm different solutions to the conflict. This is a joint effort, so both parties must be actively involved. At this stage, do not evaluate the options. This stage is for creating a list of different solutions. This can be done by simply asking each other "to create solutions that address both of our concerns."

Step 5: Finally, the participants evaluate each proposal. They should examine each proposal and its parts to develop one that meets all of the parties' needs. After they have discussed the various options, they should specifically agree how the problem is to be resolved. Both participants should repeat the agreement to make sure they understand it. The participants should then shake hands to signal that an agreement has been reached.

Discussion Questions

1. What positive benefits occur because of negotiation?
2. Would a negotiated solution allow each participant to save face?
3. What step is the most important?
4. How is the agreement enforced?

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Mediation

When parties decide to resolve a conflict through mediation, a third party (the mediator) helps the parties involved in the conflict resolve their problem. The mediator's job is to help the disputants communicate. The mediator does not judge the disputants. Rather, she or he must remain neutral. The mediator also does not develop a solution. Rather, he or she listens and helps the two sides better understand their positions and interests, so that they can solve the conflict themselves. A good mediator must be a good listener.

Mediation Steps

Step 1: The first step to an effective mediation is to set some ground rules. Each disputant must understand that he or she is working toward a win-win situation and therefore must cooperate. Another ground rule is an agreement to take turns listening and talking. Please note that any rule established should be agreed to by both parties and made in the interest of cooperation and fairness.

Step 2: Next, the mediator must gather information. The mediator may simply ask the disputants to "tell what happened." After the first disputant has described the situation, the mediator should repeat the facts to be sure she or he understands the facts. This process should be repeated for the other disputant. By repeating what each person has stated, the disputants hear how the other side perceives the situation. Remember, a positive outcome to a conflict requires each disputant to understand the other's interests and needs. It is important to ask follow-up questions such as "How did you feel?" or "Why did you do that?"

Step 3: The mediator's job is not yet done. The mediator must ask each disputant how he or she would solve the problem. The mediator must investigate why the disputants believe their solutions are effective in meeting their needs. Again, the mediator must make sure all interests, feelings, and solutions are on the table by asking follow-up questions.

Step 4: The next step is to develop win-win solutions. The mediator asks the disputants to brainstorm different positive solutions to the conflict. The participants should list all different solutions. At this stage, the mediator should not let the disputants evaluate the options. The mediator should remind the participants that cooperation is a goal of all mediation. The mediator should write down each proposal.

Step 5: Finally, the participants evaluate each proposal. The participants should examine each proposal and its parts to develop one that meets all the parties' needs. After they have discussed the various options, they should specifically agree how the problem is to be resolved. The mediator should repeat the agreement to make sure both disputants understand it. Then the mediator should ask if the problem is solved. If it is, the mediator has the two disputants shake hands.

Discussion Questions

1. What positive benefits occur because of mediation?
2. Would a mediated solution allow each participant to save face?
3. What step is the most important?
4. How is the agreement enforced?

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Activity Guide

OVERVIEW OF THE LESSON

Objectives

During the lawyer's class session, students will—

- ✓ identify and define *conflict*
- ✓ use negotiation and mediation to resolve conflicts
- ✓ develop communication skills through listening and asking questions of the participants
- ✓ develop cooperative learning skills
- ✓ gain an appreciation for solving their own problems

Lesson Summary

The Unit One class session focuses on the nature of conflicts, sources of conflicts, and responses to conflicts. Students identify and examine examples of conflicts in newspapers and news magazines. In Unit Two, students investigate negotiation, one method of conflict resolution, using conflicts that students themselves suggest. In Unit Three, students work in groups to apply the conflict resolution technique—either negotiation or mediation—assigned to their group.

Following your lawyer's visits, you might ask students to work in small groups to create posters promoting the use of conflict resolution techniques by students at school and home. You might also have students look for conflicts in stories and books. These extension activities are explained more fully below. Share students' work with your lawyer, and make plans to include her or him as a participant in your civics instruction throughout the year.

PORTFOLIO ASSESSMENT

As the units are completed, students may place their handouts, activity sheets, and research on the topics in a "Resolving Conflicts" portfolio. Encourage students to review their work and evaluate their understanding of conflict resolution techniques as they progress through the units.

HOME CONNECTION

Ask students to take home their copies of the handouts on negotiation and mediation and share the information on these two conflict resolution techniques with family members. Students and family members can choose a conflict currently in the news and try applying one or both of the techniques to that conflict. Suggest that students take notes on the family discussion and report the results to the class.

ACTIVITY SHEET/ANSWER KEYS

In each Student Packet is an Activity Sheet. Students may use the puzzle activity to strengthen vocabulary after your lawyer's visits. The correct answers follow:

1. dispute, conflict
2. disputants
3. avoidance
4. confrontation
5. negotiation
6. mediation
7. mediator
8. communication
9. resolution

(Column, Row) Direction—Word
(01,08) across—confrontation
(02,04) across—communication
(02,05) down—resolution
(02,14) across—negotiation
(03,02) down—avoidance
(03,11) across—mediator
(05,06) across—dispute
(08,03) down—disputants
(12,01) down—mediation
(14,02) down—conflict

EXTENSION ACTIVITIES

Conflict Resolution Posters: Have students work in small groups to create posters that promote the use of conflict resolution techniques. Suggest that students first think about how they could convince their audience (their schoolmates) that techniques such as negotiation and mediation can be used successfully in everyday fights, quarrels, and arguments. Some groups may wish to present basic information about the steps in negotiation or mediation. Other groups may prefer to show how negotiation or mediation can be used in a specific situation. Point out that whatever information the groups use, they should try to make the posters eye-catching, easy to understand, and persuasive. Arrange to have the finished posters displayed in the school halls or lunchroom.

Story Conflicts: Have students choose and read a book from the bibliography on page 36, which lists books whose plots contain conflicts. Ask students to identify the conflict in their book and consider how the conflict might be resolved using either negotiation or mediation. Have students make a chart in which they describe the book's conflict, how it was resolved, and how they would resolve it.

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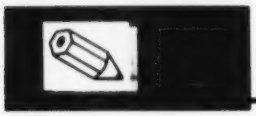

Write words used in the lessons to complete the sentences. Then find and circle the same words in the puzzle. The words may go across or down.

1. When two people argue or fight over something, they are involved in a _____ or _____.
2. The two people or parties involved in a conflict are called the participants or _____.
3. One response to conflict is _____ in which a person simply tries to stay away from conflict.
4. Another response to conflict is _____ in which a person uses threats or even violence in a conflict.
5. When using the conflict resolution technique of _____, the disputants work to solve their problem with no outside help.
6. When using the conflict resolution technique of _____, the disputants ask an outside party to help them solve their problem.
7. The third person or party involved in a mediation is a _____, who remains neutral in the conflict.
8. An important element when using any conflict resolution technique is _____—both speaking and listening—among the parties.
9. The hoped-for result of both negotiation and mediation is a mutually satisfactory and agreed-upon _____.

P E S L K I Z U N E A M I T
S T A C H X U J E A T E J C
G O V S T I B D L K I D T O
E C O M M U N I C A T I O N
S R I B X O T S K E D A C F
T E D K D I S P U T E T A L
A S A R T E N U C O P I F I
C O N F R O N T A T I O N C
D L C G U P V A K L E N H T
S U E T H O N N C X O T S J
A T M E D I A T O R L I D E
M I A F R E T S B U D K T S
Q O U N T O P C J E N I X B
V N E G O T I A T I O N A D

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Resolving Conflicts

Level D (Grades 9–12)

This level contains the following materials:

Lawyer's Pages

Before your visit, call or meet with the teacher to choose the activities that fit the instructional objectives and are best suited to the group. Remember to ask the teacher what has already been covered in the class. Together, decide which units you will present and when. Review the materials for your lessons and make copies as indicated.

- ❑ **Lesson Plan** (pages D-26–27)
- ❑ **Adjudication** (page D-28)
- ❑ **Evaluation** (page D-29)
- ❑ **Student Forum** (pages D-30–33)
- ❑ **Lawyer's Evaluation Form** (page 37)

Teacher's Pages

Make one copy of each page marked with the teacher's icon and send to the teacher in a Teacher's Packet one week before the class session.

- ❑ **Adjudication** (page D-28)
- ❑ **Evaluation** (page D-29)
- ❑ **Student Forum** (pages D-30–33)
- ❑ **Activity Guide** (page D-34)
  - Overview of the Lesson
  - Activity Sheet/Answer Keys
  - Extension Activities (Letter to the Editor, Conflict Exchange, Arbitration News, Book Works)
- ❑ **Bibliography** (page 36)
- ❑ **Law-Related Education Essentials Matrix** (page 38)

Student's Pages

Make copies of the pages marked with the student icon for each student in class and distribute as part of a Student Packet.

- ❑ **Adjudication** (page D-28)
- ❑ **Evaluation** (page D-29)
- ❑ **Student Forum** (pages D-30–33)
- ❑ **Activity Sheet** (page D-35)

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Lesson Plan

Objectives

During your session, students will—

- ✓ develop communication skills through listening and asking questions of the participants
- ✓ develop cooperative learning skills
- ✓ learn alternative methods to resolve conflicts
- ✓ develop critical thinking skills by evaluating which alternative-dispute resolution (ADR) technique is most advantageous
- ✓ gain an appreciation for solving their own problems

Vocabulary

As the following terms come up in the discussion, list them on the board and elicit definitions from students. Help the class define the terms, if necessary. Some of these terms appear on the Activity Sheet in the Student Packet, which students may complete after your visit.

adjudication
arbitration
conflict
communication
disputants
judge
mediation
mediator
negotiation
negotiator
resolution

Lesson Overview

The goal of these lessons is for students to acquire a working knowledge of various conflict resolution theories and to apply that knowledge to a conflict. The lesson will include a hypothetical conflict in which students are required to role-play the various theories. The class will be divided into six work groups (two groups for each of the three conflict resolution techniques examined). Each group must work to resolve the dispute, based on the group's assigned technique. After each group has resolved the dispute, the class will evaluate each technique.

Unit One—Conflict Theories

Time Needed: 1–2 class periods
Materials Needed: Adjudication Handout, Negotiation and Mediation Handouts from Level C

Procedure

1. Prior to the class session, ask two students to put on a mock argument for the class. Tell students that the argument should be a surprise so that the other students are puzzled and interested in it. Begin the lesson with the mock argument in front of the class. After the argument has started, step in to stop it and ask the class how this conflict could be resolved without fighting or more serious types of violence. Record students' suggestions on the board. Then divide the class into six work groups—two Negotiation, two Mediation, and two Adjudication. Each group has a pair of disputants. Each mediation group has a mediator, and each adjudication group has a judge. The other students in each group will act as observers or evaluators. Use the chart below to set up and identify groups.

2. After students have been divided into groups, give the following instructions and allow students time to understand their roles:

a. All students should read the summary of the conflict resolution technique their group has been assigned on the handouts. **Note:** The "Negotiation" and "Mediation" handouts can be found in Level C (Gr. 6–8).

b. Assign two students in each group to act as disputants. Read the following conflict scenarios to the disputants.

Conflict

Maria and Rob have a disagreement in the cafeteria. It seems as though Maria dropped her tray of food onto Rob while he was sitting down at a table. Rob's new jacket is stained. He is really angry and ready to fight.

Maria's Interests and Feelings You have been friends with Rob for years. Then he joined up with a group of people who did not accept you. You are angry at Rob for not being your friend. Also, during lunch, Rob and his new friends make comments about you.

Rob's Interests and Feelings You are very angry that your new varsity jacket has food stains on it. You know it was no accident because Maria has been acting this way ever since she got placed into honors classes. She no longer hangs around you and you are sick and tired of her "superior" attitude.

Conflict

Justin and Charles get into a shouting match about a girl.

Justin's Interests and Feelings You are very angry at Charles because he asked out your girlfriend, Rose. Yes, it is true that the you and Rose have had some problems lately, but Charles should not take this as an invitation to date her. You've been friends with Charles for 10 years and cannot believe he would be this much of a weasel.

Charles's Interests and Feelings You don't understand what Justin's problem is. Rose told him that they had broken up. Yes, it is true that you have always liked Rose, but you would never ask her out if she was still dating Justin.

Group 1 **Negotiation** **A vs. B** **3 observers**	**Group 3** **Mediation** **E vs. F** **Mediator** **2 observers**	**Group 5** **Adjudication** **I vs. J** **Judge** **2 observers**
Group 2 **Negotiation** **C vs. D** **3 observers**	**Group 4** **Mediation** **G vs. H** **Mediator** **2 observers**	**Group 6** **Adjudication** **K vs. L** **Judge** **2 observers**

*Letters represent disputants

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Lesson Plan

Anyway, why would she say yes if she was still dating Justin?

c. In the mediation groups, assign a mediator. In the adjudication groups, assign a judge.

d. The remaining students in each of the groups will act as observers or evaluators.

3. At the start of the second class, begin a discussion to develop an understanding of each theory. The discussion should first develop a definition of a conflict and why it exists, using the poster to identify conflicts in the school environment. The initial discussion should center on the fact that different perspectives lead to conflict. Point out to students, using the discussion questions on the handouts, that communication and empathy are necessary to resolve conflict. The discussion should also touch upon what are people's rights and responsibilities in society. The discussion should then elicit from students how each theory attempts to resolve conflicts and what is needed to be an effective judge, mediator, or negotiator. Finally, the discussion should elicit examples of questions and solutions a mediator, judge, or negotiator might ask or propose.

4. With about five minutes of the class period left, have each group do its role-play. Once the role-play is completed, do not let students ask questions. Rather, explain to them that they should concentrate on developing a plan to use the theory they have been assigned for the purpose of resolving the conflict.

Unit Two—Applying Theory to Situations

Time Needed: 1–2 class periods

Procedure

1. At the beginning of the lesson, ask the students who role-played the conflict earlier to replay their performance. Then have the groups begin resolving the conflict, using the theory and technique they learned about the day before. Please note that each group's disputants will not act out the conflict, rather they will assume that the conflict has occurred and continue in their roles for the purpose of allowing the other participants to resolve the conflict. The observers/evaluators should make a list of successes and failures, strengths and weaknesses, errors and insights that they witness.

2. Remind students that they must resolve the conflict. For the mediation and negotiation groups, this means that some type of verbal/written agreement acceptable to both disputants must be reached. For the adjudication groups, the judges impose a resolution to the conflict upon the disputants.

3. The next day, the observers or evaluators should lead a discussion in their respective groups on the lessons they learned about the conflict resolution technique their group employed.

Unit Three—Comparing Different Techniques

Time Needed: 1 class period

Materials Needed: Evaluation Handout

Procedure

1. For this lesson, allow students to witness the various conflict resolution techniques side-by-side so that they can see the strengths and weaknesses of each one as well as improve their ability to perform the techniques learned. At the start of this class, select three groups of disputants, a mediator, and a judge. To maintain interest in today's activity, it might be useful to group the participants so that they have not previously worked together.

2. Allocate 10 minutes to each new mediation, negotiation, and adjudication group (30 total minutes). While the groups are performing their tasks, the rest of the class should observe and then complete the "Evaluation handout." You should also fill out the evaluation form and provide a critique of each group's effort.

3. For the last part of this class period, make a list on the board of the strengths and weaknesses of each conflict resolution technique. Make sure students note that disputants take a more active and involved role in negotiation and mediation than they do in adjudication. Ask students why such involvement might make negotiation and mediation the more preferred conflict resolution techniques.

4. For students in grades 11–12, you might end this unit with a discussion of arbitration. Explain that arbitration is a form of dispute resolution that involves placing a conflict before a neutral person or panel. Unlike mediation, which allows the parties to the dispute to withdraw if they are unhappy with the solutions suggested by the mediators, arbitration results in a binding resolution of the dispute. Often, arbitration as a means of resolving disputes is consented to in advance. Because it is usually quicker and less formal than court litigation (which involves adjudication by jury/judge), arbitration has become a favored way of resolving conflicts in situations where frequent disputes can be anticipated by the parties to contracts. Ask students if they know of any instances where arbitration may have been used when contracts are involved (answers may include disputes between landlords and tenants, employers and employees, and sports team owners and players). In further contrasting negotiation, mediation, adjudication, and arbitration, what conflict resolution method would students prefer to see used in any of these instances?

Unit Four—Student Forum

Time Needed: 3–5 class periods

Materials Needed: Student Forum Handout (2 copies of the ballot for each student)

Procedure

1. The Student Forum provides students with the opportunity to learn yet another way for resolving conflicts in democratic societies—publicly debating issues in an effort to reach consensus. Students are responsible for the organization of the forum. Your role will be to serve as a consultant to the students. Since the forum can take from three to five class periods, depending on the number of characters included and the amount of discussion involved, you may elect to participate in the initial session as time permits. Direct students to the handout "Student Forum."

2. After the initial review of the topic and the procedures, help students identify areas to research so that they can obtain background information to enhance the quality of their presentation and participation.

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Adjudication

When parties decide to resolve a conflict through adjudication, a third party (the judge) resolves the conflict by imposing a solution onto the parties. The judge's job is to listen to the disputants explain their view of the conflict. The judge must remain fair and impartial since the participants have entrusted the judge to resolve the conflict. The judge must not favor either of the participants. It is the job of the judge to develop a fair and objective solution that will meet the needs of the participants and resolve the conflict.

Adjudication Steps

Step 1: The first step to an effective adjudication is to set some ground rules. Each disputant must understand that the judge's decision is final and that the participants must follow the decision no matter what it is. If the parties cannot agree to this fundamental rule, then the adjudication process becomes meaningless. Please note that any rule established should be agreed to by all parties and made in the interest of cooperation and fairness.

Step 2: Next, the judge must gather information. The judge may simply ask the disputants to "tell what happened." This process should be repeated for both disputants. By having the parties tell their stories, the disputants hear how the other side perceives the situation. Remember, a positive outcome of a conflict requires each disputant to understand the other's interests and needs. It is important to ask follow-up questions such as "How did you feel?" or "Why did you do that?"

Step 3: Finally, the judge develops a solution. To help in developing a win-win solution, the judge may ask the participants how they would solve the conflict and why they believe their solutions are effective in meeting their needs. The judge must then explain the solution. The solution must take into account the needs of each participant. The judge must also explain how the solution meets the participants' needs. Remember that the decision-making process is the sole responsibility of the judge.

Discussion Questions

1. What is the most important function of the judge?
2. Does it matter whether the participants create their own solution or have it imposed on them by someone else?

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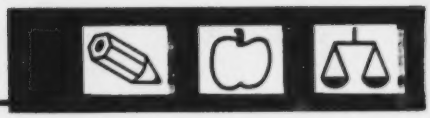
Evaluation



Negotiation Evaluation

1. Did the negotiators cooperate with each other?
2. Did the negotiators set ground rules that were followed?
3. Did the negotiators listen effectively?
4. Did the negotiators trust each other?
5. Did the negotiators both participate in developing a solution?

Mediation Evaluation

1. Did the disputants cooperate with each other?
2. Did the mediator set ground rules that were followed?
3. Did the mediator listen effectively?
4. Did the mediator restate the disputants' positions correctly?
5. Did the disputants trust the mediator?
6. Did the disputants both participate in developing a solution?
7. Did the mediator act in an impartial manner?
8. Was the outcome fair to both disputants?

Adjudication Evaluation

1. Did the judge set ground rules that were followed?
2. Did the judge listen effectively?
3. Did the disputants trust the judge?
4. Was the outcome fair to both disputants?

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Procedure

Forums provide your students with the opportunity to learn yet another way for resolving conflicts in democratic societies—publicly debating issues in an effort to reach consensus. This forum debates the effectiveness of juvenile court and addresses demands for its reform or abolition. Please refer to the ABA booklet *Making Rules and Laws*, pages D-37–38, for general procedures on how to help students conduct a forum in your classroom. For more information about the debate over the juvenile justice system, see *Update on Law-Related Education*, Winter 1994, Vol. 18, No. 1., pages 32–37. For ordering this issue of the ABA's law-related education magazine for classroom teachers, the cost is $6. Call 312/988-5735, or write to ABA/YEFC, 541 N. Fairbanks Court, 15th Floor, Chicago, IL 60611-3314. Issues of *Update* are available through ERIC/ChESS. Call 800/266-3815 or 800/LET-ERIC. Full texts are available on microfiche in libraries and in photocopy form through ERIC's document reproduction service. They are not available in electronic form.

To the Student

Outwardly, a court is a court, and that means adjudication—pure and simple. Juvenile courts have a split personality, however, in that they were conceived more to rehabilitate youthful offenders than to punish them, although punishment is, of course, an option. For rehabilitation, this usually entails mediation; for punishment, adjudication.

Is mediation in the case of juvenile offenses as appropriate today as it was when juvenile court began almost 100 years ago? Or is juvenile court too informal, and the judge's role too discretionary to handle today's cases? Would the rights of juvenile offenders, and the welfare of society, be better served if juveniles were tried in the more formal adult court, at least for serious infractions? Does the need to protect society in the face of rising juvenile crime necessitate the elimination of juvenile court? These are the issues for which your class will try to reach consensus by conducting this forum.

Background

"Kids will be kids" is a frequent excuse for mischievous behavior by juveniles, and many cases that come before the juvenile court are characteristic only of youth. Cutting class and skipping school are common examples. These are always against school rules, and sometimes the local government says they are not only against the rules, but against the law.

Police patrols may pick up wayward students who are by law required to attend school until they reach a certain age. Recurring offenses of such a nature may lead a habitual truant to a hearing before a juvenile court judge to determine the reasons for these actions and to try to remedy the causes of the problem, perhaps through family counseling. That is, the judge often mediates among the parents, the municipal authorities, and school personnel to find the right solution—one that will help the juvenile overcome the problem.

Other juvenile crimes are the same as those of adults—for example, shoplifting is one serious offense committed by youth. The judge may sentence a juvenile who commits this act of theft, particularly if the merchant vigorously presses the charges in court. Yet the penalty for such an offense will most likely not exceed restitution, community service, probation, and/or a frightening overnight stay in detention that may be enough to "cure" the offender.

Juveniles also commit very serious crimes such as car theft, burglary, rape, and manslaughter. Both first-time and repeat juvenile offenders may be sentenced to work farms and detention camps. Sometimes, and increasingly, the offense is so serious—such as murder—that authorities decide to try the juvenile as an adult, and the death penalty may be sought.

Nonetheless, the overriding purpose of the juvenile system, and of the judge, is always to rehabilitate the youthful offenders that come before it. And when they reach adulthood, which most often is 18 years, their juvenile records are wiped clean.

Getting Ready

To prepare for the forum, check your newspapers and magazines for any articles about juvenile crime and the juvenile justice system. Include some that discuss the increase in serious crime among juveniles, and attempts that are being made to address the problem. You may wish to see your school librarian for assistance. You might also interview persons knowledgeable about the juvenile justice system or invite them as forum speakers; for example, a probation officer, a local civil rights leader, a police officer, a judge of the juvenile or regular court, a social worker, an attorney, or a fellow student who has been before a juvenile court.

Organize into groups of up to five students. With your group, choose a character whose viewpoint you will develop. Be sure that all viewpoints are represented and that there is a reasonable balance of conflicting viewpoints.

These pages include sample character sketches. You may use or adapt these sketches or create your own. Your character sketch should include the character's name, a specific viewpoint, background information about the character that supports the viewpoint, and a request for a specific position to be adopted. After you have developed the character sketch, select a group member to play the character's role in the forum. Give a copy of your character sketch to the panel, and tell the panel who will role-play the character.

Introduction

Moderator We are here today to discuss the role of the juvenile court as it relates to conflict resolution in our society. The juvenile court system is a separate branch of the social welfare system that deals with juvenile delinquency cases involving criminal behavior, child neglect, and offenses involving inappropriate activities such as running away and truancy. Juvenile is defined by individual states, and the laws that apply to juveniles may expire at various times. Persons 16 years or older are tried as adults in New York, for example, but individuals must be at least 18 in California before their status as juveniles is lost.

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Student Forum

The first juvenile court in the world opened its doors in Chicago in 1899. There was a feeling, at the time, that there should be an alternative to the punishment-oriented justice system's treatment of children. The primary alternative was rehabilitation. Within 20 years, virtually every state had developed youth-rehabilitation programs similar to the one in Illinois.

Today, the juvenile court is under fire. There are calls for its abolition. Have times changed so much, have these courts operated so poorly, and has serious crime among youth risen so sharply as to remove the need for them? Should juvenile offenders be treated, and tried, as adults? These are the questions that we will now try to answer.

Character 1: Marcia Landery I am Marcia Landery, a social worker. Juvenile courts recognize that children are not just little adults and that they have special needs. These courts consider a child's age, maturity, and dependence upon others for basic care. Minors must be held accountable for their actions, but the degree of accountability and the nature of the punishment must be consistent with the child's stage of development.

We must have separate courts for much the same reason that we have grade levels in our school system. We do not teach junior high school students by using college classroom methods. The juvenile court's function is to focus on rehabilitation, rather than on retribution, so that a child will mend his or her ways and become a productive adult. Cases are decided by determining not only what the child has done, but also what should be done for the child. This is as it should be.

No justice system is perfect, and the juvenile system has its faults. But claims that it cannot adequately address today's youth crime are misplaced. Is it the juvenile court's fault that poverty is increasing in this country, that jobs for youth are scarce, that families are less stable, and that youth crime has skyrocketed as a result? Juvenile courts have never been adequately funded to do what they are supposed to do, and these resources are stretched even more today. Over the years, the juvenile courts have been expected to deliver much more than is possible, given the funding constraints. More reasonable expectations are needed, or greater resources to do the job. Making the system work will be a challenge, but we owe it to our children not to give up.

Character 2: Robert Giannini My name is Robert Giannini, and I'm in high school. There is gang violence in my school. We had an incident just the other day when a kid ripped the antenna off a car and chased a teacher around with it to the cheers of his friends. The last time he threatened anybody, he did so with a knife. Now he's on probation, but he's still trying to cheat the system. My point is that he isn't going to be rehabilitated unless the courts get tough.

Gang members attending my school pack guns. School was like an armed camp before the police put in the metal detectors. Now only the real hard cases manage to actually sneak in guns. Yet, even without weapons, there is violence of all sorts. Lots of people get beaten up. It would be a good thing if these gang members were put away somewhere. Maybe we would have some peace and quiet, and even learn something. Trouble is, we all feel helpless to do something about the problem. Rehabilitation and the use of community correction strategies might work for some kids, but it certainly doesn't for all. Most just get a slap on the wrist, and they're back on the street the next day, and back in school.

I think we should just do away with juvenile court and punish these gang members as adults when they do something wrong. Plus, if the juvenile system is abolished, we would be entitled to trial by jury, which we aren't entitled to now. Since juries are supposed to be composed of the defendants' peers, you'd have to include juveniles in the mix, in my opinion. I'd love to be able to sit on a jury that's hearing a gang member's case. Adults might let these offenders off easily, but I, and teenagers like me, wouldn't. That's one way to stem the rising tide of juvenile violence—let the kids judge the kids.

Character 3: Rob Fox My name is Police Sergeant Rob Fox, and I feel a critical aspect of the juvenile justice system is that it separates minors from adult offenders. The juveniles system has different detention centers, courtrooms, and correctional facilities. This is necessary to keep youths from coming into contact and emulating hardened criminals.

The court's purpose is not only to determine whether a child is guilty of an offense, but also to provide a mechanism for screening cases prior to a hearing, referral to service organizations, and monitoring cases following the hearing. In some states, police are authorized to engage in informal dispositions of juvenile crimes by arranging for a juvenile to make restitution or do community service. This informal handling of a dispute may resolve the matter without its ever going to the courts, which are too full as it is.

I agree that a small percentage of children are capable of committing horrible crimes. A recent case involved two children, ages 10 and 11, who tossed a 5-year-old out a 14-story building because he wouldn't steal candy for them. There was an outcry coming from some segments of the public for these children to be tried and executed as adults. In some ways, this is very persuasive. But how can we know that these children, whom some people are calling monsters, cannot be rehabilitated? Certainly, we would never know if they were executed.

Character 4: Martha Tucker I am Martha Tucker, and I represent a civil rights organization. Our position is that the juvenile justice system is sexist and racist, and that its judges exercise entirely too much personal discretion in deciding cases. For noncriminal offenses like running away from home and truancy, historically more girls have been taken into custody than boys. Similarly, a larger percentage of females than males are sent to detention homes. This is apparently happening because the juvenile court judges—who are mostly male—have decreed that girls who do not mind their parents or teachers should be locked up, but boys shouldn't.

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That is sexual discrimination, and it is wrong.

Now let's talk about racial discrimination. Most juveniles arrested for noncriminal offenses are white, but the arrest rate for white juveniles has declined, while that for minority noncriminal offenders has increased. At the same time, for criminal offenses, there has been a dramatic increase in minority populations in public correctional facilities, while the majority of children placed in private facilities are white. Although you can find similar patterns of discrimination in the adult criminal courts, they appear to be more pervasive at the juvenile level. This suggests a more systemic racial bias there. Again, my organization feels this is because of the discretion allowed to juvenile court justices, who are mostly white.

Finally, juvenile court judges are too willing to use their contempt power to punish noncriminal offenders for failing to obey court orders. This means that children charged with noncriminal acts may nonetheless be incarcerated for contempt of court, even though their original offense would not have warranted going to a correctional facility. For example, one judge locked up a girl for refusing to visit her dad as ordered in her parents' divorce decree. The judge sent the 12-year-old, who wasn't a party to the divorce and who had committed no crime—to the jail in leg shackles after finding her and her 8-year-old younger sister in contempt of court for not following his orders. The 8-year-old was grounded with no TV. The order was stayed the next day, so that the older girl was able to get out of jail.

This judge tried inappropriately to assume a parental role in a case where there were parents to assume it for themselves. What business is it of a judge to force children to obey their parents? This is a domestic matter. Jailing children is no remedy for family problems. This judge's action was intrusive and harmful to two young girls who insist that their father mentally abuses them. Professional counseling and talks with the judge did no good, so how would sending one of the girls to jail make things any better? No adult would ever be sent to jail for refusing to visit a parent. In this case, the punishment of this girl was harsher than anything that an adult court would inflict on an adult defendant.

Character 5: Charles Sampson Hi, I'm Chuck Sampson, a probation officer. The sergeant earlier spoke about the need to separate minors from adult criminals. There are a few more good reasons to keep the system as it is, the first of which is confidentiality. Because of their age and immaturity, juveniles are considered less than fully accountable for their actions. Research has shown that, while most youths engage in some delinquent behavior, most also mature out of the crime pattern. It is grossly unfair to juveniles criminal records for some mischief that will follow them all through their adult lives. That's why, in most states, juvenile offenders are not considered to be criminally convicted, allowing them later to honestly avoid questions about their youthful missteps—although police and courts, still have access to this information.

Second, the system is geared toward helping individuals. There's a good reason why the system permits police, probation officers, and judges a great deal of discretion in concluding cases. Early on, a complete social history of the accused is compiled, including not only information about the offense and past problems, but also about family, education, and related matters. When appropriate, the victims are contacted and mediation is attempted. This certainly is less frequently found in adult courts.

Finally, juvenile courts emphasize the social aspects of rehabilitation. Probation officers gather information about their subjects, prepare reform plans, and monitor the youths' future behavior. Probation officers may also serve as an advocate for the offender, providing assistance in obtaining education or job training for their clients.

Character 6: Erin Fields There is little justice in the juvenile justice system. My name is Erin Fields, I'm a lawyer, and I would first like to point out that in order to address serious juvenile crime, many states have actually redefined their programs to emphasize punishment rather than treatment. Many of these same states have adopted mandatory sentencing schemes, essentially displacing the judge's discretion in handling youthful offenders.

Another problem I see with the system is constitutional. Children are denied the same procedural rights available to adults. There is no right to bail in most states, no trial by jury. And juveniles may also be given longer sentences than adults for similar offenses. For example, a 16-year-old who has already exhausted the patience of a juvenile court by repeated infractions of the law may face a maximum sentence for an offense of lesser consequence committed for the first time. In the adult system, caseload pressures often lead to more lenient negotiated plea bargains for offenders, no matter their records.

In a juvenile proceeding, the state must prove beyond a reasonable doubt that the child committed an illegal act. Yet judges, feeling that it is better to make sure that a juvenile toes the line in the future, too often will enter a finding of delinquency even though the state may not have satisfied its burden of proof. Put another way, the judge may decide to rehabilitate a child who has not been proven guilty. In addition, although children are entitled to an attorney, many are not represented because of judicial hostility to child advocates or because the children and their families waive their right to counsel without being informed of the consequences. While juveniles technically have Miranda rights—to remain silent, to an attorney, etc.—there is nor real Miranda protection in the juvenile court. It is all a myth.

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Student Forum Ballot

Should Juvenile Courts Be Abolished?

Circle the choice that best answers how you feel about juvenile vs. adult courts.

	strongly agree				strongly disagree
I believe that					
1. Juveniles are too young to be held fully accountable and punished for their crimes.	1	2	3	4	5
2. Juvenile courts are overly protective of defendants.	1	2	3	4	5
3. Juveniles should be punished for their illegal actions.	1	2	3	4	5
4. Juvenile court judges have too much discretion in handling cases.	1	2	3	4	5
5. The juvenile justice system is biased against females and minorities.	1	2	3	4	5
6. Criminal acts committed by juveniles should be kept secret to protect their privacy as adults.	1	2	3	4	5
7. Children should be allowed to have jury trials.	1	2	3	4	5
8. The system of juvenile justice is unconstitutional.	1	2	3	4	5
9. Criminals of any age should be punished, not rehabilitated.	1	2	3	4	5
10. The juvenile justice system should be abolished.	1	2	3	4	5
11. Bail should be permitted for incarcerated juveniles.	1	2	3	4	5
12. Judges are better than juries in deciding juvenile cases.	1	2	3	4	5
13. Police should not have the power to make decisions that are within the authority of a judge.	1	2	3	4	5
14. Mandatory sentencing reduces the effectiveness of the juvenile justice system.	1	2	3	4	5
15. Juveniles should be given the option to be tried as children, adults, or by juries of their peers.	1	2	3	4	5
16. If juveniles are tried as adults, they ought to be tried by their peers—including other juveniles.	1	2	3	4	5

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OVERVIEW OF THE LESSON

Objectives

During the class sessions, students will—

- ✓ develop communication skills through listening and asking questions of the participants
- ✓ develop cooperative learning skills
- ✓ learn alternative methods to resolve conflicts
- ✓ develop critical thinking skills by evaluating which alternative-dispute resolution (ADR) technique is most advantageous
- ✓ gain an appreciation for solving their own problems

Lesson Summary

In the Unit One class session, students first focus on a mock conflict and then divide into groups to begin role-plays of various conflict resolution techniques for a given situation. In Unit Two, students work in groups to apply the technique of conflict resolution assigned to their group and reach an agreement. In Unit Three, students compare the three techniques for conflict resolution in a new role-playing situation to recognize the strengths and weaknesses of each technique.

Following your lawyer's visits, you might ask students to write letters to the editor of their school newspaper, explaining how conflict resolution techniques could help solve a school problem. Additionally, you might have students write and exchange descriptions of conflicts that the groups work together to solve, using whatever conflict resolution technique they choose. These extension activities are explained more fully below. Share students' work with your lawyer, and make plans to include her or him as a participant in your civics instruction throughout the year.

PORTFOLIO ASSESSMENT

As the units are completed, students may place their handouts, activity sheets, and research on the topics in a "Resolving Conflicts" portfolio. Encourage students to review their work and evaluate their understanding of conflict resolution techniques as they progress through the units.

HOME CONNECTION

Ask students to discuss a local community conflict with family members. Encourage them to discuss their viewpoints on the conflict and the techniques that might work to resolve the conflict. Then have students share their observations and resolutions with the class.

ACTIVITY SHEET/ANSWER KEYS

In each Student Packet is an Activity Sheet. Students may use the puzzle activity to strengthen vocabulary after your lawyer's visits. The correct answers follow:

1. adjudication
2. conflict
3. communication
4. disputants
5. negotiator
6. mediation
7. mediator
8. negotiation
9. resolution

Scrambled word: listening

ACTIVITY SHEET/ANSWER KEY

In the Student Packet is an Activity Sheet that asks students to work with key vocabulary terms. Students may use the activity to strengthen vocabulary after the lawyer's visit. The correct answers follow.

EXTENSION ACTIVITIES

Letter to the Editor: Have students write letters to the editor for their school newspaper. Ask them to choose a current issue being discussed at their school, such as open campus during lunch, driving privileges, or dress codes. In their letters, they should suggest the conflict resolution technique that they think would work best in dealing with the particular issue and explain why they think it would work and how it could lead to a resolution. Ask volunteers to read their letters aloud to the class. Encourage students to submit their letters to the school newspaper for publication.

Conflict Exchange: Divide the class into small groups. Have each group write a description of a conflict that could be handled using conflict resolution techniques. Ask the groups to include detailed descriptions of the nature of the conflict and the characters involved. For example, Mr. Bauer wants to build a fence around his yard to keep his dog in. His next-door neighbor, Mr. Ronzani, objects to the fence, which he says will block his view. The village building code requires that all neighbors agree to any property improvements. What might Mr. Bauer and Mr. Ronzani do? When the groups have finished writing, have them exchange descriptions. They should then read the description, decide which conflict resolution technique they think would be appropriate for the situation, and apply the technique to come to a resolution. Have the groups take turns reporting their results to the class.

Arbitration News: Have students in grade 11 or 12 research recent news stories about arbitration used to resolve sports contract disputes. What were the arbitrators' solutions? Would negotiation, mediation, or adjudication have worked better in any of the disputes? Why or why not, and for whom? Ask students to write to team managers and/or players expressing these opinions.

Book Works: Using the bibliography on page 36 or books selected by students, have students present a conflict from their book in a role-play or an oral book review. Have the class determine what conflict resolution techniques are appropriate to use and give reasons for their choices.

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Activity Sheet

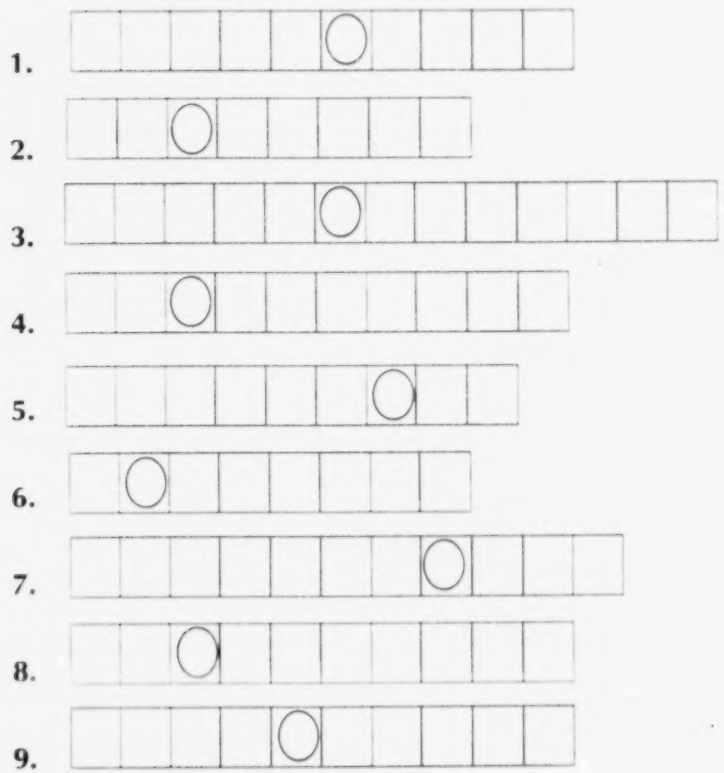
Many law-related words have their roots in the Latin language. All the vocabulary words used in this activity come from Latin words. In the appropriate boxes, write the word or words that go with each word history. When you have finished, unscramble the letters in the circles to spell a word that names an important skill needed in all conflict resolution techniques.

1. From Latin *ad,* meaning "to" + *judicare,* meaning "to act as a judge"
2. From Latin *con,* meaning "together" + *fligere,* meaning "to strike"
3. From Latin *communis,* meaning "common"
4. From Latin *dis,* meaning "separately" + *putare,* meaning "to reckon or think"

5. and **6.** From Latin *medius,* meaning "middle"

7. and **8.** From Latin *neg,* meaning "not" + *otium,* meaning "leisure"

9. From Latin *re,* meaning "again" + *solvere,* meaning "to untie or release"



Write the circled letters here: _____

Unscrambled: _____.

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Lawyer's Evaluation Form

Your name _____

Teacher/school _____ Grade/class _____

School Address _____

Participation

Did the program's organization and information make it easy for you to participate? ☐ yes ☐ no

Problems _____

Topics and Class Sessions

Topics covered _____

How were the topics chosen? _____

_____

Materials

Was the booklet we furnished useful? _____

If not, what should have been included/changed? _____

_____

The teacher and I discussed our plans in advance. ☐ yes ☐ no

We didn't because _____

_____

The students were prepared. ☐ yes ☐ no

Comments? _____

_____

The session went about as I thought it would. ☐ yes ☐ no

The unexpected was _____

_____

I'm going to do something more with this teacher and class. ☐ yes ☐ no

If yes, what? _____

_____

Summary

On the whole, the experience was _____

_____

Other comments? _____

_____

_____

Please send this form to

May Nash
American Bar Association/YEFC
541 N. Fairbanks Court 15th Floor
Chicago, IL 60611-3314

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Law-Related Education Essentials Matrix

From *Essentials of Law-Related Education.* ©1995 American Bar Association

SECTION	A	B	C	D
SUBJECT MATTER				
Law				
What the structure and function are of adversarial and other legal systems	X	X	X	X
Justice				
Role of adversarial system and other mechanisms for resolving disputes and conflicts in society	X	X	X	X
Role of the courts and other institutional professionals of the justice system in American government and society				X
The way specific practices, decisions, and events have—and have not—fulfilled our ideals of justice				X
CONTEXTS AND PRACTICES OF INSTRUCTION				
Conditions Necessary for Effective LRE Instruction				
Student-centered classroom	X	X	X	X
Problem-oriented approach to instruction	X	X	X	X
Provision of opportunities for students to practice ideals to be learned	X	X	X	X
Parental involvement in school	X	X	X	X
Developmentally appropriate instruction	X	X	X	X
Instructional Strategies				
Instruct interactively				
. . . use cooperative learning strategies, simulations, and role-plays	X	X	X	X
. . . use group work activities, including group research projects		X	X	X
. . . use experiential learning strategies	X	X	X	X
Develop curriculum				
. . . balanced	X	X	X	X
. . . relevant	X	X	X	X
Assessment				
Assesses students' values, interests, experiences, and knowledge prior to, and after, instruction	X	X	X	X
Provides opportunities to apply what has been learned	X	X	X	X
SKILLS				
Thinking				
Developing capacity for understanding and evaluating controversies and conflicts arising from legal issues		X	X	X
Communications and Social Participation				
Developing capacity for communicating and interacting with those from diverse backgrounds and circumstances		X	X	X
Building consensus through deliberation, negotiation, compromise, and conflict resolution	X	X	X	X
Working cooperatively with others to make decisions and take actions concerning hypothetical or actual legal or law-related social issues	X	X	X	X
ATTITUDES, BELIEFS, AND VALUES				
Substantive				
Fostering respect for fundamental human rights and dignity	X	X	X	X
Appreciating the value of legitimately resolving conflicts and differences in society	X	X	X	X
Procedural				
Understanding how attitudes, values, and beliefs essential to LRE are fostered through teaching of fundamental subject matter employing critical instructional practices	X	X	X	X

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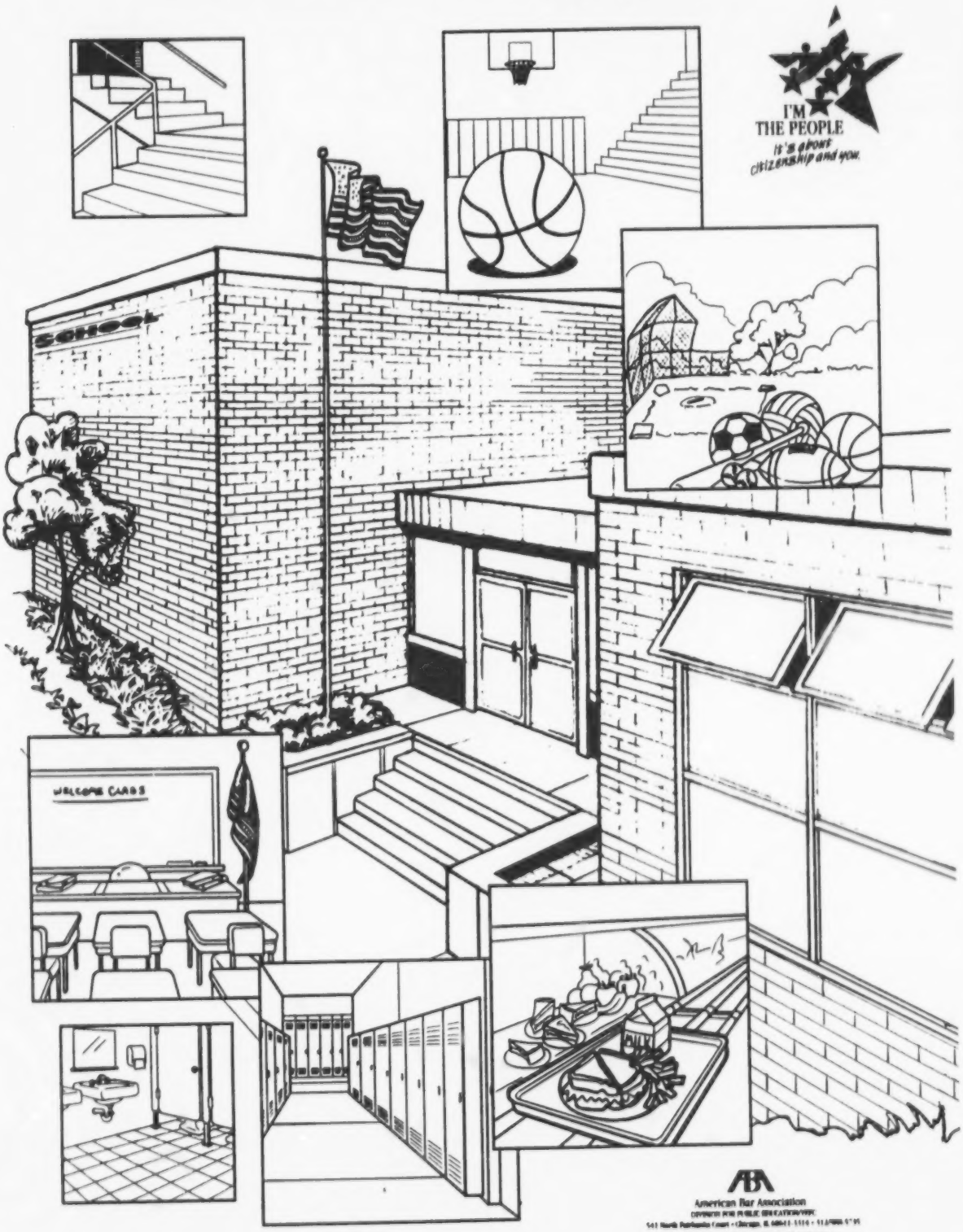

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